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FILE NO. 32585-PCT-USA-A 0719861200



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Braun et al.
Serial No. : 09/351,985 Examiner: Wang, S.
Filed : July 12, 1999 Group Art Unit: 1617
For : MEDICINAL PRODUCT FOR THE
PROMOTION OF WOUND HEALING

LETTER

EXPRESS MAIL LABEL NO. EK839853562US

This paper and the accompanying Request for a Continued Prosecution Application are submitted by Express Mail Post Office to Addressee service under the above label number, pursuant to 37 C.F.R. §1.10.

Assistant Commissioner for Patents
Washington, D.C. 20231
BOX CPA

Sir:

In lieu of a response to the Official Action dated May 3, 2001, Applicants submit herewith a Request for a Continued Prosecution Application. A preliminary amendment addressing the issues set forth in the Official Action will be submitted shortly.

Respectfully submitted,

Lisa B. Kole
Patent Office Reg. No. 35,225

Attorneys for Applicant(s)
(212) 408-2500

NY02:340187.1

**CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL**

Submit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:
☐ DUPLICATE

Address to:
Assistant Commissioner for Patents
Box CPA
Washington, DC 20231

Attorney Docket No. of Prior Application	A32585-PCT-USA
First Named Inventor	Braun et al.
Examiner Name	Wang, S.
Group Art Unit	1617
Express Mail Label No.	EK839853562US

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),
(continued prosecution application (CPA)) of prior application number 09/351,985
filed on July 12, 1999, entitled MEDICINAL PRODUCT FOR THE * see attached

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

- ☐ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
- ☐ A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:
 - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed:
 - ☐ PTO-1449
 - ☐ Copies of IDS Citations

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	-20* =	0	x \$ 18 =	\$ 0
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	-2** =	0	x \$ 80 =	0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) <input type="checkbox"/>			+ \$ _____ =	
				BASIC FEE (37 CFR 1.16)	710
				Total of above Calculations =	710
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).				
	* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.			TOTAL =	710

6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 02 - 4377:

- a. ☒ Fees required under 37 CFR 1.16.
b. ☒ Fees required under 37 CFR 1.17.
c. ☒ Fees required under 37 CFR 1.18.

8. ☒ A check in the amount of \$ 710 is enclosed.

9. ☐ Payment by credit card. Form PTO-2038 is attached.

10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.

11. ☒ New Attorney Docket Number, if desired A32585-PCT-USA-A-A

(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)

12. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)

b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)

13. ☐ Other: Petition for Extension of Time under 37C.F.R 1.136(a)

NOTE:

The prior application's correspondence address will carry over to this CPA
UNLESS a new correspondence address is provided below.

14. NEW CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

21003

or ☐ New correspondence address below

(Insert Customer No. or Attach bar code label here)

Name

Address

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State

Zip Code

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Telephone

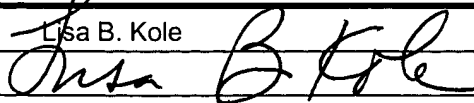
Fax

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)

Lisa B. Kole

Signature



Registration No. (Attorney/Agent)

35,225

Date

August 3, 2001

Title: MEDICINAL PRODUCT FOR THE PROMOTION OF WOUND HEALING

Use Space Below for Additional Information: